

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FIFTH MARKET, INC.)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 08-520 (GMS)
)	
CME GROUP, INC., et al.,)	
)	
Defendants.)	

JOINT STIPULATION OF DISMISSAL AND ORDER OF DISMISSAL

Plaintiff Fifth Market, Inc. (“Fifth Market”) and Defendants CME Group, Inc., Chicago Mercantile Exchange, Inc., The Board of Trade of the City of Chicago, Inc. d/b/a Chicago Board of Trade, Commodity Exchange, Inc., and New York Mercantile Exchange, Inc. (collectively, “CME Group”), having settled their disputes in this action through a settlement agreement effective as of March 8, 2016, hereby stipulate to dismiss with prejudice all claims and counterclaims asserted between the parties in this action. Each side shall bear its own costs, expenses, and attorneys’ fees.

Fifth Market stipulates that: (i) CME Group does not infringe the two patents that Fifth Market asserted in this case, U.S. Patent Nos. 6,418,419 (“the ’419 patent”) and 7,024,387 (“the ’387 patent”); and (ii) the ’419 and ’387 patents are presently invalid in their entirety.

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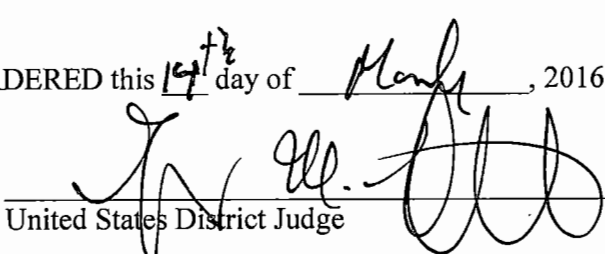
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March 9, 2016

SO ORDERED this 14th day of March, 2016.



United States District Judge

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